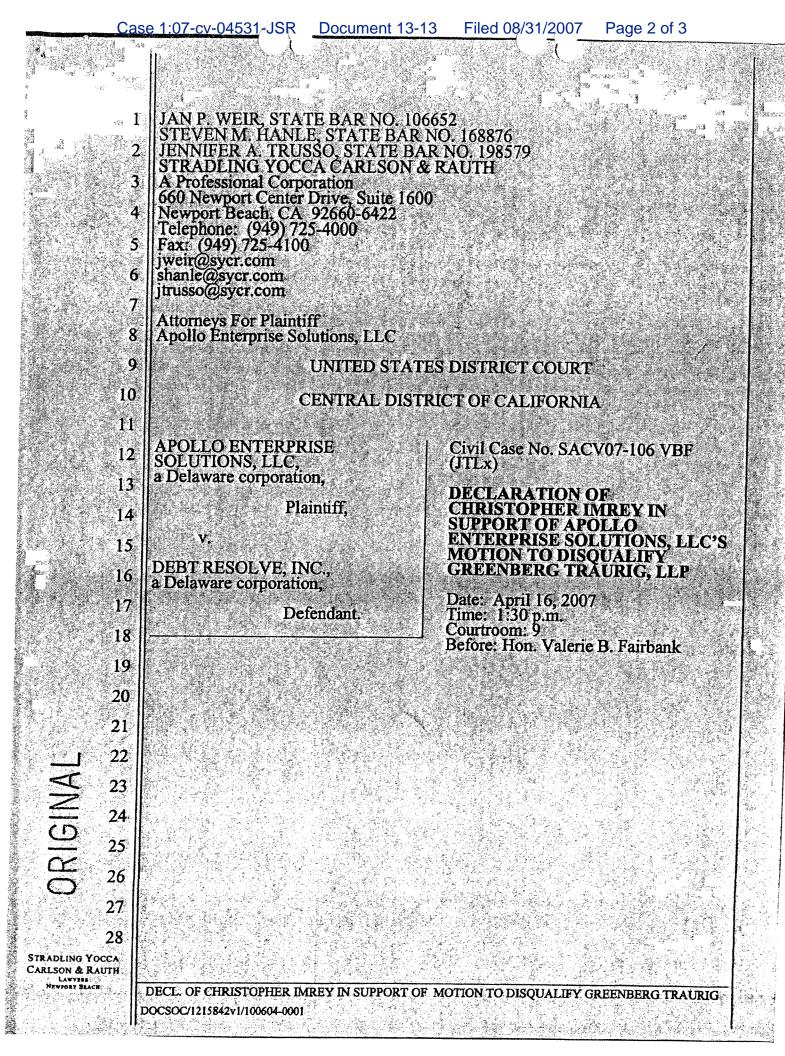
EXHIBIT 5



I, Christopher Imrey, hereby declare:

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I am the President and Chief Executive Officer of Apollo Enterprise Solutions, LLC ("Apollo"), the plaintiff in the above-captioned matter, and have held that or similar positions continuously since January 2003. Thave personal knowledge as to all matters stated herein. I submit this declaration in support of Apollo's Motion to Disqualify counsel for defendant Greenberg Traurig ("GT").

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2. Apollo provides enterprise-class, hosted solutions to primary creditors, collection agencies, debt buyers and legal recovery firms for Debtor Self-Payment and Self-Settlement (often referred to as Apollo's IDS system). Apollo's IDS system lets clients offer their debtors online debt-payment and debt-settlement options that reflect the debtors' current credit status. The Apollo IDS system allows its clients to offer debtors an unlimited number of payment or settlement options. Apollo's client is the creditor not the debtor.

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3. In early 2004, GT became the general counsel for Apollo. Specifically, Apollo began working with Steve Anapoell at GT's Costa Mesa, California office regarding corporate matters.

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4. In July 2004, Mr. Anapoell referred Apollo to GT patent law counsel Chris Darrow and Bruce Neel to perform patent work for Apollo. Mr. Darrow is from GT's Los Angeles office and Mr. Neel is from GT's Phoenix office.

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5. The patent work performed by GT specifically dealt with the prosecution of a patent or patents that would cover Apollo's on-line web based systems for consumer debt collections-the exact same product involved in this litigation with Debt Resolve.

STRADLING YOCCA CARLSON & RAUTH